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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,099	01/04/2001	Richard E. Vogel	70254-328	8152

20915 7590 03/10/2003

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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 03/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliance  
With 37 CFR 1.192(c)**

Application No.

09/681,099

Applicant(s)

VOGEL ET AL.

Examiner

Joseph C. Merek

Art Unit

3727

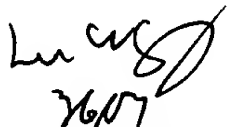
**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

The Appeal Brief filed on 17 December 2002 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192 (c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENTIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☐ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☐ A single ground of rejection has been applied to two or more claims in this application, and
  - (a) ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
  - (b) ☐ the brief includes the statement required by 37 CFR 1.192(c) (7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

See Continuation Sheet

  
LEE YOUNG  
SUPERVISORY PATENT EXAMINER  
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Continuation of 9. Other (including any explanation in support of the above items): Issue 1, the drawing objection is a matter that is petitioned and not appealed and therefore should be removed from the brief.

Issue 2, appellant has not addressed the 112 1st rejection regarding claim 59 which involves the annular rib on the interior surface of the sleeve.

Claim 53 has not been identified as standing alone or with any of the groupings.

Appellant has not addressed the 102(b) rejection with the reference to Wemyss.

Issue 6, claim 29 is stated as being patentable for the same reason as claim 28. This is not possible as claim 29 does not depend from claim 28 and includes limitations that are different from claim 28.

Issue 6, appellant groups claims 36 and 37. A different reason is given for each claim with respect to patentability over the combination. Since the claims are patentable for different reasons over the combination, the claims should not be grouped together.

Issue 7, claims 14-16, 30, and 38 are all rejected with the same art of record. Appellant takes the position that claims 30 and 38 stand alone and therefore do not stand or fall together with claims 14-16. No arguments have been made as to why presented by claims 30 and 38 are separately patentable.

Issue 9, Claim 37 depends from claim 34 and not 36. 37 should not be grouped with claim 36.